

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2003-003439

04/28/2004

HON. JOHN R. DITSWORTH

CLERK OF THE COURT
T. Fenton
Deputy

FILED: 04/30/2004

IN RE THE MARRIAGE OF
GWENDOLYN CARMELA SCHRAN

ROBERT H MALLIN

AND

PHILIP G STEHLE

GLORIA L CALES

MINUTE ENTRY

On the Court's motion due to illness,

IT IS ORDERED vacating the Comprehensive Pretrial Conference set on April 7, 2004, and **resetting** same on **April 29, 2004, at 10:00 a.m.,** before:

The Honorable John R. Ditsworth
Maricopa County Superior Court
Central Court Building
201 W. Jefferson, 6th Floor
Courtroom 602
Phoenix, Arizona 85003

Time Allotted: 15 minutes

Both parties, together with their counsel, if represented, shall appear in person, and be prepared to discuss the management of this case including the matters set forth in Rule 16(b) A.R.C. P. Any party who permanently resides out of the State of Arizona may appear telephonically at this conference only by calling the Court (602) 506-8288 at the time of the Conference. **IF ONLY ONE PARTY APPEARS, THE COURT MAY ENTER A DEFAULT AGAINST THE ABSENT PARTY, AND ALLOW THE PARTY THAT APPEARS TO PROCEED BY DEFAULT. IF BOTH PARTIES FAIL TO APPEAR, THE ACTION MAY BE DISMISSED.**

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PARENT EDUCATION PROGRAM:

IT IS ORDERED that in the event the parties have a natural or an adopted minor, unemancipated child in common, both parties shall have completed an approved Parent Education Program in accordance with A.R.S. §25-351 et seq. prior to the Comprehensive Pretrial Conference, and file proof thereof prior to or at the time of Conference. **IF NEITHER PARTY HAS COMPLETED THE PARENT EDUCATION PROGRAM PRIOR TO THE CPTC, THE COURT MAY VACATE THE CPTC AND REQUIRE COMPLIANCE PRIOR TO PROCEEDING.**

PRE-TRIAL CONFERENCE STATEMENT:

IT IS FURTHER ORDERED that each party shall file and provide this Division with a copy of a Joint Pretrial Conference Statement at least three days before the CPTC. The Joint Pre-Trial Conference Statement shall state:

1. The details of all agreements reached by the parties on all substantive and procedural issues.
2. The date each parent filed with the court proof of compliance with the Parental Education Program requirements of A.R.S. Section 25-351 et seq., or a declaration that each parent who has not completed such requirements will file such proof of compliance prior to or at the time of the CPTC.
3. To assist the Court in determining the reasonableness of each party's positions in any subsequent requests for attorney's fees pursuant to A.R.S. §25-324 and §12-349, each party shall set forth a brief statement of his or her position on each remaining contested issue. This statement shall not include the reasons why the party is taking the position, but simply the position on each contested issue.
4. Specific proposals by the party on how the remaining contested issues can be resolved or narrowed without trial including requests for testing, evaluation, or appraisal, and the utilization of any appropriate Alternative Dispute Resolution (ADR) procedures.
5. All remaining discovery and disclosure which needs to be completed prior to trial.

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6. An estimate of the length of trial needed, and if witnesses other than the parties will testify, who will testify, the estimated time of trial needed for each witness, and a brief summary of the testimony expected from each witness.

IT IS FURTHER ORDERED that each party shall attach to the Joint Pretrial Conference Statement and bring to the Comprehensive Pretrial Conference:

1. An affidavit of current financial circumstances pursuant to Rule 6.4(b), Local Rules of Maricopa County, unless one was filed within the last 12 months;
2. A current and detailed inventory and appraisal of the property and assets of the parties, unless one was filed within the last 12 months;
3. If there are disputed custody and child support issues, the Joint Pretrial Conference Statement shall include a Child Support Worksheet completed pursuant to the Statewide Child Support Guidelines, unless one was filed within the last 12 months.

IF EITHER PARTY DOES NOT TIMELY FILE A JOINT PRETRIAL CONFERENCE STATEMENT, FAILS TO PROVIDE A POSITION STATEMENT ON A CONTESTED ISSUE, OR FAILS TO OBEY THIS PRETRIAL ORDER TO COMPLETE THE PARENT EDUCATION PROGRAM, THE COURT MAY IMPOSE ANY AND ALL SANCTIONS ALLOWED BY RULES 16(f), 37(b)(2)(B) (C), OR (D) ARIZONA RULES OF CIVIL PROCEDURE AND A.R.S. Section 25-352.

NOTE: All Court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting the division three (3) court business days before the scheduled hearing.